



Date: February 3, 2026

Hearing Date: February 5, 2026

Committee: Judicial Proceedings

Bill: SB 327 Criminal Law - Drug Paraphernalia and Controlled Paraphernalia Prohibitions – Repeal)

Position: In Support and Request Favorable Report

Submitted by:

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Our organization:

The Brain Injury Association of Maryland (BIAMD) is a 42-year-old organization providing education, advocacy, and research. We operate an information & assistance hotline, work with over 100 clients in case management, host a yearly conference on brain injury, and advocate for policies that improve the life of Marylander's living with Traumatic Brain Injuries (TBI) and Acquired Brain Injuries (ABI). We are writing in SUPPORT of this bill.

Rationale:

Dear Chair Smith, Vice Chair Waldstreicher, and Senate Judicial Proceedings Committee Members, my name is Ruth Carlock, the Legislative Liaison at the Brain Injury Association of Maryland and am here in support of SB 327. Brain Injuries, including those resulting from overdoses, represent a significant public health concern. Substance use disorders can lead to overdoses that deprive the brain of oxygen resulting in lasting cognitive, physical, and emotional impairments. Research highlights the correlation between substance abuse, overdose incidents, and the risk of acquiring traumatic, anoxic, and hypoxic brain injuries.

The connection between substance misuse and brain injury is strong. A notable proportion of individuals in acute rehabilitation for brain injury are due to drug or alcohol

use. Researchers in Canada found that individuals who had experienced an overdose were over 15 times more likely to suffer a brain injury compared to those who had not, noting the correlation between these two issues.

In 2023, Governor Moore created the Office of Overdose Response to tackle the overdose crises. This legislation would strengthen those commitments making Maryland a safer place for first responders and healthcare professionals, while continuing this administration's push of treating addiction and substance use disorders as the public health crises they are, instead of a criminal justice issue that perpetuates the issue. To quote Governor Moore, "We are focused on expanding pathways to compassionate care for individuals, whether they are actively using drugs or are on the road to recovery. Building communities that can thrive requires ensuring that all Marylanders, regardless of where they come from or where they are, can access the support they need."

This Bill would eliminate the criminalization of several of the most important harm reduction techniques utilized in the reduction of overdoses. From the testing equipment of drugs like fentanyl or common syringes used in weekly medications. Syringe Service Programs reduce needle litter, keep public spaces cleaner, and reduce the spread of STDs. These programs are also more effective in states without the criminalization of drug paraphernalia leading to higher engagement in recovery treatment.

SB 327 addresses a critical component of brain injury prevention for individuals with substance use disorders. We urge the committee to render a favorable report and thank you for your consideration of our testimony.

References:

- 1. Public Health Law Network, Harm Reduction Legal Project (2025)**
- 2. Tookes, Hansel E et al. "A comparison of syringe disposal practices among injection drug users in a city with versus a city without needle and syringe programs." *Drug and alcohol dependence* vol. 123,1-3 (2012): 255-9. doi:10.1016/j.drugalcdep.2011.12.001**
- 3. CDC, *Syringe Service Programs (SSPs)*, 2025. Available at <https://restoredcdc.org/www.cdc.gov/syringe-services-programs/php/index.html>**
- 4. Davis, Corey S et al. "Paraphernalia Laws, Criminalizing Possession and Distribution of Items Used to Consume Illicit Drugs, and Injection-Related Harm." *American journal of public health* vol. 109,11 (2019): 1564-1567. doi:10.2105/AJPH.2019.305268**
- 5. U.S. Department of Veteran Affairs, *Effectiveness of Syringe Service Programs*, 2023. Available at <https://www.hsrd.research.va.gov/publications/esp/syringeservice.cfm>**
- 6. Marx, M A et al. "Trends in crime and the introduction of a needle exchange program." *American journal of public health* vol. 90,12 (2000): 1933-6. doi:10.2105/ajph.90.12.1933**

7. Governor Moore signs executive Order creating Maryland's Office of Overdose Response - Press releases - News - Office of Governor Wes Moore.

(n.d.). <https://governor.maryland.gov/news/press/pages/governor-moore-signs-executive-order-creating-maryland%e2%80%99s-office-of-overdose-response.aspx>